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10/553,622	03/09/2007	Daniel Andre Gastel	403518/WEINSTEIN	6043

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EXAMINER	
DESAI, ANISH P	

ART UNIT	PAPER NUMBER
1788	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/553,622	GASTEL, DANIEL ANDRE	
	Examiner	Art Unit	
	ANISH DESAI	1788	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 February 2011*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19,21-25,27 and 28* is/are pending in the application.

4a) Of the above claim(s) *21-25,27 and 28* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's arguments submitted on 02/24/11 in response to the Office action mailed on 09/01/10 have been fully considered. As pointed out by applicant on page 6 of applicant's amendment received on 02/24/1, the support for amended claims is found in the specification as originally filed.

2. In view of applicant's amendment received on 02/24/11, all of the 112-second paragraph rejections are withdrawn.

3. All of the prior art rejections of record except for the art rejection of claim 17 as set forth on page 13, paragraph 41 of the Office action mailed on 09/01/10 are maintained. In view of applicant's amendment changing the dependency of claim 17 (claim 17 now depends from claim 16 instead of claim 15), the art rejection of claim 17 as set forth on page 13, paragraph 41 of the Office action mailed on 09/01/10 is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-9, 11-15, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springer (US 2,106,385) in view of Brady et al. (US 6,100,804), and further as evidenced by Afzali-Ardakani et al. (US 5,767,789)**.

5. With respect to claim 1, Springer discloses an improved shim (laminated product) formed of plurality of superimposed layers of loosely woven fibrous material (sheet) impregnated with a latex binder (adhesive) and compacted together to adhesively form a unitary structure (column 1, lines 1-11). According to Springer, the layers are compressed so that the latex is forced intimately into the porosities of the several layers forming a continuous connective resilient binder body extending throughout the several layers bonding them securely together (column 2, lines 9-14). Further, Figure 2 and at page 2 column 2 lines 10-20, Springer clearly discloses separation of sheet from the stack. Additionally, the sheets of Springer are separated without being torn (Figure 2). As such it is clear that the bonding force of the adhesive (latex) of Springer is less than the resistance of the sheet to tearing, and that the sheet has a resistance to tearing. Furthermore, since the sheets of Springer are separable, it is clear that the thickness is adjustable by exfoliation. Moreover, Figures 1 and 5 of Springer discloses a housing (identified by numeral 14) within the thickness of the stack.

6. **With respect to claim 1, the difference between the claimed invention and the prior art of Springer is that Springer is silent as to teaching "an electronic component located in the housing"**.

7. However, Brady discloses radio frequency identification system employing thin, flexible, electronic radio frequency identification (RFID) tag (abstract). Moreover, Brady discloses that RFID is becoming an important identification technology for tracking objects such as packages and merchandise (column 2 lines 26-40), and objects (column 3 lines 20-25), which the Examiner submits would also encompass items of manufacturing such as "shims" (laminated products).

8. Given that Springer discloses products such as shims and Brady discloses RFID devices (electronic identification component) that can be used to track packages, objects, and merchandise, it would have been obvious to use the RFID of Brady and locate it in the housing of the Springer's shim so as not to increase the thickness of the shim and protect the RFID device, and such RFID provides manufacturer of such shim products with ability to track such shim products.

9. As to claim 2, it is noted that the RFID of Brady has a memory and antenna (column 2 lines 39-41). Given that Brady has same component (memory) as that of claimed by applicant, it is clear that Brady's memory can be used "for storage of identification information identifying the product". Further, give that the antenna of Brady and the transmission device of applicant are formed of same material (e.g. see column 7 lines 57-58 of Brady disclosing copper and 0056 in Pg Pub of this application), it is clear that the transmission device (antenna) of Brady "can be remotely queried to transmit the identification information stored in the memory" “as claimed.

10. As to claims 3-4, it is noted that while the collective disclosure of Springer as modified by Brady (hereinafter "modified Springer") does not explicitly mention specific type of identification information as claimed, it is recognized in the RFID art to store information such as for example serial number in the memory unit of the RFID device. This is evidenced by column 4 lines 63-67 of Afzali-Ardakani which states that if RFID tags include memory (storage) then information about the objects such as a serial number, manufacture date etc. can be written and stored. As such, it would have been obvious to one having ordinary skill in the art at the time the invention was made to store the identification information including that of the presently claimed by claims 3-4, motivated by the desire to provide easy access to such information to consumer and manufacturer.

11. With respect to claims 5 and 14, Brady discloses that RFID tags contain read/write memory of up to **several kilobytes** (column 2 lines 34-35), which would intrinsically include 512 bits (64 byte).

12. With respect to claim 6, at column 16 lines 65-67, Brady discloses storing of information in encrypted form (i.e. coded) for security purpose.

13. With respect to claim 7, given that the transmission device (antenna) of Brady and that of claimed by applicant as set forth above (see Examiner's comments regarding the transmission device in claim 2) are same, it is clear that the transmission

device of Brady can intrinsically function to receive the identification information remotely and writes the information in the memory.

14. With respect to claims 8 and 15, it would have been obvious to have the electronic component having write-once mode, motivated by the desire to protect the information from tampering.

15. As to claims 9 and 13, no evidence made of the record convinces the Examiner that the particular shape or size of the electronic component is significant or is anything more than one of numerous shapes a person of ordinary skill in the art would find obvious for the purpose of providing a suitable shape and size so as to easily place the component in the housing. Further, the Examiner submits that a change in size (dimension) is generally recognized as being within the level of ordinary skill in the art. Where the only difference between the prior art and the claims is a recitation of relative dimensions of the claimed device, and the device having the claimed dimensions would not perform differently than the prior art device, the claimed device is not patentably distinct from the prior art device.

16. With respect to claim 11, it would have been obvious to provide a memory having storage capacity for storing a first portion of identification information and store a second portion of the identification information on an external support (e.g. on a computer) such that if the memory unit of the laminated product storing the first portion of identification information fails, then manufacturer or consumer can still retrieve

"second portion of the identification information" regarding the laminated product from the external support.

17. With respect to claim 12, at column 3 lines 44-45, Brady discloses RFID tags having overall thickness not exceeding 280 microns.

18. As to claim 18, the woven sheet of Springer that is impregnated with the latex (adhesive) meets claim requirement of "composite material".

19. With respect to claim 19, Figures 1 and 5 of Springer show the sheets extend parallel to a plane of reference, and the housing also extends parallel to the plane of reference.

20. **Claims 5, 8, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springer (US 2,106,385) in view of Brady et al. (US 6,100,804), and further as evidenced by Afzali-Ardakani et al. (US 5,767,789) as applied to claims 1, 2, 4, 7, and 11 above, and further in view of Garber et al. (US 6,448,886B2)**.

21. The modified Springer is silent as to explicitly teaching claims 5, 8, 14, and 15.

22. However, Garber discloses RFID devices that are used for information regarding characteristics of objects (e.g. date of manufacture, inventory status etc.) (column 1 lines 50-55). Further, Garber discloses RFID having storage capacity of between 128

bits and 512 bits (column 7 lines 25-35). Additionally, Garber discloses RFID devices provide significant amounts of user accessible memory in the form of read-only (write-once) or write-only memory (column 7 lines 22-25).

23. As such it would have been obvious to provide in Springer memory having a storage capacity of 512 bits (greater than 64 bits for claim 14) and the electronic component having write once mode, since it has been held that use of a known material based on its suitability for its intended use establishes *prima facie* case of obviousness.

24. **Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Springer (US 2,106,385) in view of Brady et al. (US 6,100,804), and further as evidenced by Afzali-Ardakani et al. (US 5,767,789) as applied to claims 1 and 4 above, and further in view of Paratore et al. (US 6,294,997 B1)**.

25. The modified Springer is silent as to teaching claim 10.

26. However, Paratore discloses RFID tag with a timing module to measure elapsed time and environmental module to detect certain environmental conditions (abstract). The environmental module enables the user to determine how long the RFID tags have been exposed to certain environmental conditions that have been pre-defined by user (abstract). Further, the RFID tag of Paratore includes a micro-sensor that can be **adapted to detect temperature** (column 2 lines 48-55).

27. It would have been obvious to provide the electronic component with a means for measurement of temperature so as to ascertain the information such as how long the component is exposed to certain environmental conditions (e.g. elevated temperature).

28. **Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springer (US 2,106,385) in view of Brady et al. (US 6,100,804), and further as evidenced by Afzali-Ardakani et al. (US 5,767,789) as applied to claims 1, 2, 11, and 15 above, and further in view of Murasawa (US 6,207,004B1).**

29. The modified Springer is silent as to teaching claims 16 and 17.

30. However, Murasawa discloses a method for mass producing IC cards (electronic components) (abstract). Further, at column 2 lines 11-25, Murasawa discloses providing electronic components in aperture (housing) and filling the aperture with adhesive which includes epoxy (column 5 lines 30-35). Additionally, as shown in Figure 1 (b), (c), (d), the housing is delimited by an interior wall (see area identified by numeral 6 in Figure 1(b)) and the filling material (12) fills the housing around the electronic component and bonds said component (3) to the interior wall.

31. As such, it would have been obvious to provide the housing and the filling material as claimed in claims 16-17 which is taught by Murasawa, motivated by the desire to securely place the electronic component in the housing.

32. **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Springer (US 2,106,385) in view of Brady et al. (US 6,100,804), as evidenced by Afzali-Ardakani et al. (US 5,767,789) and further in view of Garber et al. (US 6,448,886B2) as applied to claim 15 above, and further in view of Murasawa (US 6,207,004B1)**.

33. The modified Springer is silent as to teaching claim 17.

34. However, Murasawa discloses a method for mass producing IC cards (electronic components) (abstract). Further, at column 2 lines 10-25, Murasawa discloses providing electronic components in aperture (housing) and filling the aperture with adhesive which includes epoxy (column 5 lines 30-35).

35. As such, it would have been obvious to provide the filling material as claimed in claim 15, motivated by the desire to securely place the electronic component in the housing.

Response to Arguments

36. Applicant's arguments filed on 02/24/11 have been fully considered but they are not persuasive.

37. Applicant argues that Figure 2 of Springer fails to disclose the whole surface of the separated layers and therefore it is impossible to determine whether the layers are torn or not (see page 8 of 02/24/11 amendment). Applicant further argues by citing a

passage of Springer on page 2 right hand column lines 14-25 that these passages say nothing about whether the layers of Springer are torn or not. Applicant further argues that Springer fails to explicitly disclose the claimed feature that adjacent sheets of the stack are connected to one another by a bonding force that is less than the resistance of the sheets to tearing, so that each sheet can be detached from the stack without being torn (see page 9 of 02/24/11 amendment).

38. The Examiner respectfully disagrees. Figure 2 of Springer is described by Springer as "**several lamination separated**" (see page 1, left column lines 49-50). As such it would be clear to one of ordinary skill in the art that **each layer** in Figure 2 is separated. Further, it is noted that Springer clearly teaches that “Its permanently tacky characteristics causes several layers which make up the shim to reunite and bond themselves securely as an integral structure **following a separation of layers resulting from any cause whatsoever**…” (page 2, right column lines 15-20). Given that Springer clearly teaches **separation of layers** and wherein the **layers of Springer reunite following the separation** (page 2, right hand column lines 15-20), it is clear to one of ordinary skill in the art that the layers of Springer are not torn otherwise one can not practice the invention of Springer. Since the layers of Springer can be separated without being torn, it is clear that the Springer meets "a bonding force which is less than the resistance of the sheets to tearing, so that each sheet can be detached from the stack without being torn". Accordingly, applicant’s arguments are not found persuasive.

39. Applicant argues that Office has not provided any reasons for establishing inherency (i.e. that adjacent sheets that can be detached from the stack without being torn) (see page 9 of 02/24/11 amendment).

40. The Examiner respectfully disagrees. Applicant's attention is directed to page 6, paragraph 14 of 09/01/10 Office action where the rationale for establishing inherency is clearly provided. As such, applicant's arguments are not persuasive.

41. Applicant argues that there are several technical reasons why Springer fails to disclose adjacent sheets that can be detached from the stack without being torn. According to applicant, first reason is that Springer's shim is compressible and compressibility of a shim is disadvantage where the shim is to be reduced by removing one or more of its laminate. Because the shim of Springer is compressible, the claimed characteristics that the adjacent sheets can be detached from the stack without being torn can not necessarily flow from the teachings of the Springer.

42. The Examiner respectfully disagrees because aforementioned arguments are based on applicant's personal opinion and there is no factual evidence on the record provided by applicant that would support his/her arguments (MPEP 716.01(c). Further there is no requirement that the layers of Springer's shim or applicant's shim as claimed would have to be detachable in compression. The only requirement in the claimed invention is that sheet can be detached from the stack without being torn. Given that

the layers of Springer's shim are separable as taught by Springer, it meets the aforementioned claim requirement. Accordingly, applicant's arguments are not found persuasive.

43. Applicant argues that the second reason why Springer ails to inherently disclose adjacent sheets can be detached from the stack without being torn is that Springer teaches that the layers re-unite or re-bond together following separation. According to applicant "The ability to re-bond or re-unite following separation suggest a strong bonding force, which may not necessarily be a "bonding force that is less than the resistance of the sheets to tearing." as claimed in claim 1. In fact, layers which re-unite or re-bind themselves together following separation might not readily detached. Moreover….cannot necessarily flow from the teachings of Springer." (pages 9-10 of 02/24/11 amendment).

44. The Examiner respectfully disagrees because aforementioned arguments are based on applicant's personal opinion and there is no factual evidence on the record that would support applicant's arguments (MPEP 716.01(c). Moreover, the Examiner notes that the fact that applicant as recognized that the layers of Springer's shim **can separate before they re-unite or re-bond**, it is clear that the bonding force is less than the resistance of the sheets to tearing otherwise layers of Springer can not be separable. Further, scope of the presently claimed invention encompasses situation where the sheets can reunite following separation. As such, contrary to applicant's

arguments that the rebonding of the layers of Springer contradicts the claimed feature that the thickness is adjustable by exfoliation is not found persuasive, because there is nothing in the claims that excludes rebonding of the sheets after the exfoliation. As such, applicant's arguments are not found persuasive.

45. Applicant argues that the housing identified by the Examiner (see numeral 14 in Springer's Figures 1 and 5) is for passage of bolts or other fastening means and therefore it is not for lodging the electronic component. Applicant further argues that the Office has not shown how the RFID of Brady would remain in the aperture 14 of Springer and not simply pass through it. (see page 11 of 02/24/11 amendment).

46. The Examiner respectfully disagrees. Applicant has not provided any factual evidence to support that one of ordinary skill in the art can not place an electronic component in the housing of Springer. This is significant given that applicant's claims broadly requires "a housing within the thickness of the stack" (see claim 1) and there is no difference in the structure of the housing claimed by applicant (see claim 1) and the housing disclosed in the shim of Springer. Additionally, contrary to applicant's assertion that the aperture of Springer is for passage of bolts, the Examiner submits that Springer's aperture is **not** limited to passing of bolts only given that Springer does not explicitly teach or suggest that the aperture of his invention can **only be used** for passing of bolts.

47. Further, as to applicant's arguments that the Office has not shown how the RFID of Brady would remain in the aperture 14 of the Springer and not simply pass through it (see page 11 of 02/24/11 amendment), the Examiner respectfully submits that applicant's arguments are not commensurate in scope with the scope of the presently claimed invention. Claims do not require that the electronic ID component **MUST remain** in the housing for some period of time; instead claims merely require that the electronic identification component located in the housing. Therefore, even if the electronic ID component of Brady can simply pass through the aperture of Springer (which the Examiner does not agree that it can or it will do so), it would still meet the claim requirement of the "electronic ID component located in the housing" when it is in the aperture before passing through it. Accordingly, applicant's arguments are not found persuasive.

48. Applicant argues that the Office has failed to provide rationale for the proposed modification of Brady with Springer. According to applicant, the Office has not provided rationale that the packages, objects, and merchandise of Brady would include an item of manufacturing such as a shim. Applicant argues that Brady does not disclose that the RFID tags can be used in shims. (see page 11 of 02/24/11 amendment).

49. In response, the Examiner respectfully directs applicant's attention to page 7 paragraphs 17-18 of 09/01/2010 Office action where the Office has clearly provided rationale for the proposed modification. Further, as to applicant's arguments against

Brady that Brady does not disclose that the RFID tags can be used in shims, the Examiner respectfully submits that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Moreover, the Examiner submits that given that the RFID devices of Brady can be incorporated into e.g. merchandise (column 2 lines 25-35) for purpose of tracking, the merchandise would encompass articles such as shims because shim is a type of merchandise given that it can be bought and sold in the market place.

50. Applicant argues that if RFID tag is located in the aperture 14 of Springer then it would not be possible for a bolt to pass through the aperture. (see page 11 of 02/24/11 amendment).

51. The Examiner respectfully disagrees because the aforementioned arguments are based on applicant's personal opinion and there is no factual evidence provided by applicant to support his/her arguments. MPEP 716.01(c).

52. Applicant argues that Afzali-Ardakani does not disclose a laminated product having a thickness adjustable by exfoliation and which includes an electronic identification component located within a housing that is located within the thickness of the stack as claimed. (see page 11 of 02/24/11 amendment).

53. The Examiner respectfully disagrees and submits that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

54. With respect to the art rejection of claim 5, applicant argues that Garber only discloses memory that is specifically for storage capacity of 128 bits which is well below the range of at least 512 bits claimed. (see page 12 of 02/24/11 amendment).

55. The Examiner respectfully disagrees. At column 7 lines 22-25, Garber discloses "Modern RFID tags also provide significant amounts of **user accessible memory**, **sometimes in the form of read-only memory or write-once memory**, but more preferably offering the use the ability to repeatedly update the memory by rewriting its contents from a distance. The amount of memory provided can vary**...Typically between 128 bits and 512 bits of total memory can be provided economically**." This is interpreted as Garber discloses memory for storage capacity of at least 512 bits. Additionally, since the claimed memory storage capacity of at least 512 bits overlap the memory disclosed by Garber (i.e. between 128 bits and 512 bits), *a prima facie* case of obviousness exists. (MPEP 2144.05). Accordingly, applicant's arguments are not found persuasive.

56. As to applicant's arguments against claim 8 that Garber does not teach that memory has a storage capacity sufficient for storing at least a part of the identification information including: identification of manufacturer of the product, reference of an order for the product…" (see page 12 of 02/24/11 amendment), the Examiner respectfully submits that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

57. With respect to claim 10, applicant argues that Paratore teaches transmission of a time measurement in contrast to the transmission device of claim 10, which transmits the measurement of temperature, pressure, vibrations and/or irradiation made by the electronic component. (see page 13 of 02/24/11 amendment).

58. The Examiner respectfully disagrees because the RFIDs of applicant and Paratore use antenna as a transmission device (see 0056 of Pg Pub of this application and column 2 lines 9-11 of Paratore). Further, RFID of Paratore includes micro-sensor to detect temperature change as well as pressure change (column 2 lines 50-55 and lines 65-67). Given that Paratore's RFID includes same transmission device as claimed by applicant (i.e. antenna), it is intrinsically clear that the transmission device of Paratore can transmit measurements made. Accordingly, applicant's arguments are not found persuasive.

59. As to the art rejection of claim 16, applicant argues that "The applicants assert that the housing referred to in claim 16 is within the thickness of a stack preferably within the thickness of a stack preferably with an open end in the lateral surface of the product (specification, page 6, lines 19-20). The claimed housing advantageously permits the peeling of many sheets from the top of the stack before reaching the housing. This contrast with Murasawa, which teaches a core sheet having apertures that is placed on a first cover sheet for housing the electronic components (column 2, lines 12-174 and column 5 lines 1-2). The aperture is filed with...One of ordinary skill in the art would be discouraged from using the epoxy of Murasawa, which is used in Murasawa to prevent the cover sheet from peeling off…" (see page 14 of 02/24/11 amendment).

60. The Examiner respectfully disagrees. As to applicant's argument that the housing is within the thickness of a stack ***preferably with an open end in the lateral surface of the product***, said argument is not commensurate in scope with the scope of the claimed invention given that there is nothing in the claim that requires that the housing has an open end in the lateral surface of the product. Further, contrary to applicant's arguments that Murasawa teaches away from the claimed laminated product, the Examiner notes that given that Murasawa and applicant use same resin namely epoxy resin and the housing as claimed in claim 16 and that of Murasawa are identical in terms of its (see column 2 lines 11-25, column 5 lines 30-35, Figures 1 (b), (c) and (d), applicant's arguments that Murasawa teaches away from the claimed

laminated product is not found persuasive. Additionally, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. Accordingly, applicant's arguments are not found persuasive.

Conclusion

61. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

62. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

63. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH DESAI whose telephone number is (571)272-6467. The examiner can normally be reached on Monday-Friday, 9:00AM-5:30PM.

64. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alicia Chevalier can be reached on 571-272-1490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

65. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alicia Chevalier/
Supervisory Patent Examiner, Art Unit 1788

/A. D./
Anish Desai
Examiner, Art Unit 1788
05/01/11